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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER	
HANNETT, JAMES M	

ART UNIT	PAPER NUMBER
2612	

DATE MAILED: 09/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/841,068	BRONSON, BARRY	
	Examiner	Art Unit	
	James M. Hannett	2612	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *25 July 2005*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-7,10-19 and 21-23* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-4,6,7 and 10-19* is/are rejected.

7)☒ Claim(s) *5 and 21-23* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *4/25/2001* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

Applicant's arguments filed 7/25/2005 have been fully considered but they are not persuasive.

The applicant has amended the claims to include the limitation "the sensed image includes all sub-images available for transmission to the remote site/sites. The applicant pointed out that in the prior action the examiner recommended the claim limitation of "the sensed image which includes all the required images is transmitted to all of the clients" be added to the claims to better define the limitation.

The examiner contends that the difference between the applicants current claim language of "all sub-images available for transmission" and the examiners recommends language of "all the required images" is substantial. The examiner views the new claim limitation of transmitting the sensed image including all the sub-images available for transmission as broad.

Oka et al teaches in Figures 14, 15, and 26 a system in which a camera captures a video image and transmits the video image to a camera server. The camera server then transmits corresponding sub-regions of the image to respective clients that are at remote locations on a network. Oka et al teaches that only the sub-region selected by a remote user is transmitted to the remote user. Therefore, this is viewed by the examiner as the only sub-image available for transmission to the corresponding user. Therefore, the process of transmitting only the sub-image selected by the user, is viewed by the examiner as transmitting the sensed image including all sub-images available for transmission. Furthermore, the only sub-image available for transmission to a corresponding user is the selected sub-region. The examiner recommends to the

applicant that the claim be amended to reflect that all the sub-regions selected by all the remote users are combined to form a single image, wherein that single image is then transmitted to all the remote users.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1: Claims 1, 6, 7, 10, 12, 13, and 15-18 are rejected under 35 U.S.C. 102(e) as being anticipated by USPN 6,727,940 Oka et al.

2: As for Claim 1, Oka et al teaches and depicts in Figure (15a) a method of providing images to a remote site, the method comprising: sensing an image of a scene; Column 4, Lines 29-32, Establishing a connection with a remote site; Column 4, Lines 34-41, Transmitting the sensed image to the remote site (1300), the examiner views the process of transmitting only the sub-image selected by the user as transmitting the sensed image including all sub-images available for transmission, in that the only sub-image available for transmission to a corresponding user is the selected sub-region. Receiving a selection of a sub-image (1501) of the sensed image from the remote site (1300); Column 4, Lines 55-67. Oka et al teaches on Column 5, Lines 1-13 and on Column 2, Lines 28-35 generating the sub-image (1507) from the sensed image (1504); Figure 15B, and transmitting the sub-image to the remote site.

3: In regards to Claim 6, Oka et al teaches on Column 5, Lines 30-45 wherein the step of generating the sub-images comprises: generating a series of frames of the sub-image. Oka et al teaches that the sub-images are frames of video sent to the respective clients. Therefore, since a video signal is sent to the clients this constitutes a series of video frames.

4: As for Claim 7, Oka et al teaches on Column 5, Lines 30-45 wherein the step of generating the sub-images comprises: generating a series of frames of the sub-image. Oka et al teaches that the sub-images are frames of video sent to the respective clients. Therefore, since a video signal is sent to the clients this constitutes a series of video frames.

5: In regards to Claim 10, Oka et al teaches and depicts in Figure (15a) a method of providing images to a plurality of remote sites, the method comprising: sensing an image of a scene; Column 4, Lines 29-32, establishing connections with the remote sites; Column 4, Lines 34-41, Transmitting the sensed image to the remote sites (1300); the examiner views the process of transmitting only the sub-image selected by the user as transmitting the sensed image including all sub-images available for transmission, in that the only sub-image available for transmission to a corresponding user is the selected sub-region. Receiving a selection of a sub-image (1501) from each of the remote sites (1300); Column 4, Lines 55-67. Oka et al teaches on Column 5, Lines 1-13 and on Column 2, Lines 28-35 assigning each of the remote sites to a channel; generating the sub-image selected at each remote site; and transmitting the sub-images to their respective remote sites.

6: In regards to Claim 12, Oka et al teaches on Column 5, Lines 30-45 wherein the step of generating the sub-images comprises: generating a series of frames of the sub-image. Oka et al

teaches that the sub-images are frames of video sent to the respective clients. Therefore, since a video signal is sent to the clients this constitutes a series of video frames.

7: As for Claim 13, Oka et al teaches and depicts in Figure (15a) a method of displaying images at a remote site, the method comprising: establishing a connection with an image access system Column 2, Lines 76-21; receiving a sensed image of a scene to be observed; the examiner views the process of transmitting only the sub-image selected by the user as transmitting the sensed image including all sub-images available for transmission, in that the only sub-image available for transmission to a corresponding user is the selected sub-region. Displaying the sensed image; Column 4, Lines 55-67, selecting a sub-image of the sensed image; Column 5, Lines 35-40. Oka et al teaches receiving a selection of a sub-image (1501) from each of the remote sites (1300); Column 4, Lines 55-67. Oka et al teaches on Column 5, Lines 1-13 and on Column 2, Lines 28-35 assigning each of the remote sites to a channel; generating the sub-image selected at each remote site; and transmitting the sub-images to their respective remote sites.

8: As for Claim 15, Oka et al teaches an image access system comprising: an image sensor for sensing an image (CCD); Column 4, Lines 29-32, and an image processing system operably coupled to the image sensor, wherein the image processing system receives image data from the image sensor, transmits the sensed image to remote sites, generates sub-images of the sensed image, and transmits sub-images to remote sites upon request by the remote sites; Column 1, Lines 55-60. The image processing system is viewed by the examiner as the image distribution system. The examiner views the process of transmitting only the sub-image selected by the user as transmitting the sensed image including all sub-images available for transmission, in that the only sub-image available for transmission to a corresponding user is the selected sub-region.

9: In regards to Claim 16, Oka et al teaches on Column 5, Lines 22-45 the image processing system (camera server) comprises: a sensor control (Video image input unit) operably coupled to the image sensor (CCD), wherein the sensor control receives the image data from the image sensor.

10: As for Claim 17, Oka et al teaches on Column 5, Lines 22-45 the image processing system (Camera server) comprises: an access control operably coupled to the sensor control and in communication with the remote sites, wherein the access control controls access of the remote sites to the image access system, the generation of sub-images, and the transmission of sub-images to the remote sites.

11: In regards to Claim 18, Oka et al teaches on Column 6, Lines 18-22 and on Column 5, Lines 16-4 the image processing system (Camera server) comprises: a processor (CPU) operably coupled to the access control to receive instructions from the access control, wherein the processor (CPU) receives image data from the sensor control and formats image data for transmission to the remote sites.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

12: Claims 2-4, 11 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over USPN 6,727,940 Oka et al.

13: In regards to Claim 2, Oka et al teaches a video distribution system that distributes selected video signals to several clients on a network. However, Oka et al does not teach that the video distribution system can determine whether the remote site is authorized to receive images.

Official notice is taken that it was well know in the art at the time the invention was made for video distribution systems to have software that prohibit non-subscribers to view transmitted video data and to deny access to the video if the client is not a subscriber.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include software that prohibit non-subscribers to view transmitted video data and to deny access to the video if the client is not a subscriber. In the camera system of Oka et al in order to prohibit non-subscribers to view transmitted video data.

14: As for Claim 3, Oka et al teaches a video distribution system that distributes selected video signals to several clients on a network. However, Oka et al does not teach determining a priority level of the remote site.

Official notice is taken that it was well known in the art at the time the invention was made to allow video distribution systems to assign bandwidth to different users based on the priority level and available bandwidth of the remote clients in order to allow clients with faster connections to receive data at an optimum rate.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to allow the video distribution system of Oka et al to assign bandwidth to different users based on the priority level and available bandwidth of the remote clients in order to allow clients with faster connections to receive data at an optimum rate.

15: In regards to Claim 4, Oka et al teaches a video distribution system that distributes selected video signals to several clients on a network. However, Oka et al does not teach determining whether a channel is available for transmitting the sub-image to the remote site.

Official notice is taken that it was well know in the art at the time the invention was made for video distribution systems to determine whether the network is available for transmitting the video to the remote site before the data is transmitted in order to prevent bandwidth from being wasted by transmitting erroneous data.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to enable the video distribution system of Oka et al to determine whether the network is available for transmitting the video to the remote site before the data is transmitted in order to prevent bandwidth from being wasted by transmitting erroneous data.

16: As for Claim 11, Oka et al teaches a video distribution system that distributes selected video signals to several clients on a network. However, Oka et al does not teach determining whether a channel is available for transmitting the sub-image to the remote site.

Official notice is taken that it was well know in the art at the time the invention was made for video distribution systems to determine whether the network is available for transmitting the video to the remote site before the data is transmitted in order to prevent bandwidth from being wasted by transmitting erroneous data.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to enable the video distribution system of Oka et al to determine whether the network is available for transmitting the video to the remote site before the data is transmitted in order to prevent bandwidth from being wasted by transmitting erroneous data.

17: In regards to Claim 14, Oka et al further teaches on Column 1, Lines 47-60 the step of selecting a sub-image comprises: panning through the sensed image; and indicating a portion of the sensed image to be displayed.

18: Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over USPN 6,727,940 Oka et al in view of USPN 6,317,127 Daily et al.

19: As for Claim 19, Oka et al teaches the claimed invention as discussed in Claim 18, However, Oka et al does not teach that the image processing system (camera server) comprises: a frame buffer operably coupled to the sensor control and to the processor (CPU), wherein the frame buffer receives image data from the sensor (CCD) and provides image data to the processor (CPU).

Daily et al teaches the use of video distribution system in which sub-images of a larger high-resolution image are sent to multiple users. Daily et al teaches that it is advantageous when designing such a video distribution system to output the selected sub-image to a frame buffer in order to reduce the number of computations and reduce the potential for glitches in the displayed sub-image.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to output the selected sub-image in the system of Oka et al to a frame buffer As taught by Daily et al wherein the frame buffer receives image data from the sensor (CCD) and provides image data to the processor (CPU), in order to reduce the number of computations and reduce the potential for glitches in the displayed sub-image.

Allowable Subject Matter

20: Claims 5, 21-23 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to James M. Hannett whose telephone number is 571-272-7309. The examiner can normally be reached on 8:00 am to 5:00 pm M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thai Tran can be reached on 571-272-7382. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

James M. Hannett
Examiner
Art Unit 2612

JMH
August 25, 2005